

UNITED STATES OF AMERICA
DISTRICT OF MASSACHUSETTS

KENNETH EUGENE BARRON,)
Plaintiff,)
)
v.) Case No. 04-CV-40023
)
UNITED STATES OF AMERICA,)
Defendants.)
)

DECLARATION OF SANDRA L. HOWARD, M.D.

I, SANDRA L. HOWARD, hereby declare and state as follows:

1. I am employed by the United States Department of Justice, Federal Bureau of Prisons as the Clinical Director, at the Federal Medical Center (FMC), Devens, Massachusetts. I have been employed in this position since February 25, 2001. I have been employed with the Federal Bureau of Prisons since January 22, 1995.
2. This declaration is being provided as an update on inmate Barron's medical condition since my declaration dated June 2, 2004 that was provided to the Court regarding the above captioned case.
3. On April 13, 2004, inmate Barron was made aware that he was placed on the third group list for renal (kidney) transplant consideration of FMC Devens inmates.
4. On April 26, 2004, FMC Devens Social Worker interviewed inmate Barron in reference to potential living donors for renal transplant. Inmate Barron provided the names of two sisters and one brother as potential donors.
5. On May 12, 2004, inmate Barron was seen by a Nephrologist to determine whether he is in agreement with the Infectious Disease Specialist's recommendation that inmate Barron be considered for renal transplant first, prior to receiving treatment of his Hepatitis C because his end stage renal disease precluded him from receiving the drug ribavirin for treatment of his Hepatitis C. On May 12, 2004, the Nephrologist recommended that inmate Barron be seen by a Hepatologist and at the same time be referred to Renal Transplant Service for evaluation.

6. On June 17, 2004, inmate Barron had a Cardiology evaluation as part of his renal transplant evaluation. The Cardiologist found him not to require any further cardiology evaluation and that he was only remarkable for one risk factor-a family history.
7. On August 11, 2004, the Social Worker informed inmate Barron's father of the need to have the potential donors ABO testing (this is to identify blood type compatibility). This information was added to the pre-transplant packet list as a requirement from Central Office.
8. On August 23, 2004, we received the ABO results for inmate Barron's two sisters.
9. On September 1, 2004, inmate Barron underwent a Psychological evaluation as part of a potential renal transplant procedure. The evaluation revealed that inmate Barron had the following diagnosis: Axis I: Polysubstance Dependence, 304.80; Axis II: Antisocial Personality Disorder, 301.7e; and Axis III: End Stage Renal Disease (ESRD), secondary to Hepatitis B and C; history of hypertension; history of left elbow infection; prior splenectomy. The Psychologist recommended that inmate Barron's "psychological fitness for renal transplantation is considered guarded. Although he has demonstrated adequate medical compliance and has generally adopted current healthy life-style choices, his impulsive behavior, extensive drug abuse history, and denial for substance abuse treatment are areas of concern."
10. On September 3, 2004, FMC Devens Social Worker spoke with inmate Barron regarding contacting his brother. Inmate Barron said that his brother was moving to Florida and wanted him to be removed from his potential donor list.
11. On November 26, 2004, inmate Barron had a chronic care evaluation and at that time he complained of mild pain to his ribs secondary to an altercation he was involved in on November 20, 2004. On November 26, 2004, chest and rib x-rays were ordered. On November 29, 2004, the x-rays diagnosed him with 9th, 10th, 11th, and 12th non-displaced rib fractures. He was treated with chest wall taping and respiratory exercises with an incentive spirometry.
12. On March 15, 2005, the completed organ transplant request packet for inmate Barron was forwarded to the Central Office with recommendation from the Clinical Director for approval for him to be evaluated by the transplant service at the U Mass Memorial Medical Center.
13. On March 17, 2005, inmate Barron was referred for follow up by the vascular surgeon for evaluation of his access flow because of a noted urea reduction ratio (URR) decrease of 4% on March 4, 2005. His URR had been averaging 72% or above. In March his URR was noted to be 68.96%. Inmate Barron was concerned about this and therefore the consult to a vascular surgeon was initiated.

14. It should be noted that on April 8, 2005, inmate Barron's URR returned back to his normal percentage of 72.09%. Inmate Barron is scheduled to see the Vascular Surgeon in the near future. As previously explained to the Court, a URR above 65% is considered excellent.
15. On April 22, 2005, FMC Devens received approval notification from the Medical Director of the Federal Bureau of Prisons at Central Office for inmate Barron to pursue evaluation by the U Mass Memorial Medical Center transplant service.
16. Inmate Barron still receives hemodialysis three times a week and his hemodialysis access site continues to function adequately. He is seen regularly by a Nephrologist and medical staff. His liver enzymes have remained normal with his history of Hepatitis C. In addition to monitoring his renal disease, he has received substantial care for acute medical conditions such as rib fractures, finger fracture, and positive h. pylori (an infection that can cause stomach ulcers). Now that inmate Barron has had approval to be referred to the U Mass transplant service for an appointment, we will proceed with their evaluation as they request.
17. As of today's date, inmate Barron has been approved by the Bureau of Prisons as a good candidate for a living-related donor renal transplant. After the U Mass transplant service completes their testing and evaluation, they will make the final decision and inform the Bureau of Prisons as to whether inmate Barron will receive a renal transplant.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge.

Executed this ___ day of April 2005.

Sandra L. Howard, M.D.
Clinical Director
Federal Medical Center
Devens, Massachusetts